

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

BRANDON MIGUEL ESCAMILLA,
Plaintiff,
v.
A. OBOYLE, et al.,
Defendants.

No. 2:22-cv-2038 KJM AC P

ORDER

Plaintiff, a state prisoner proceeding pro se, seeks relief pursuant to 42 U.S.C. § 1983. By order filed July 17, 2023, plaintiff's second amended complaint was screened and he was given the option to proceed immediately on his excessive force claim against defendants Oboyle and Phillips or to amend the complaint. ECF No. 47. Plaintiff has now notified the court that he would like to amend the complaint. ECF No. 48.


Accordingly, IT IS HEREBY ORDERED that:

1. Plaintiff shall have thirty days from the service of this order to file a third amended complaint as outlined in the July 17, 2023 screening order. If plaintiff fails to file an amended complaint, the case will proceed on the second amended complaint, as screened, and it will be recommended that his Fourteenth Amendment due process claims be dismissed without prejudice.

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1 2. The Clerk of the Court is directed to send plaintiff a copy of the prisoner complaint
2 form used in this district.

3 DATED: August 3, 2023

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5 ALLISON CLAIRE
6 UNITED STATES MAGISTRATE JUDGE
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